

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MAY 26 2015

IN THE MATTER OF THE SEARCH OF:

SAFE DEPOSIT BOX NO. 1037)
LOCATED AT 7340 WESTLAKE TERRACE)
BETHESDA, MD 20817, REGISTERED IN THE)
NAME OF CARLOS BRANDON PEOPLES)

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY *[Signature]* DEPUTY

CASE NO. *15-932 uc*

AFFIDAVIT IN SUPPORT OF APPLICATIONS FOR SEIZURE WARRANT

I, John P. Cooney, Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being duly sworn, depose and state as follows:

1. Your Affiant is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Department of Justice, Baltimore Field Division, Baltimore, Maryland and has been so employed since August 2002. Your Affiant has successfully completed the Criminal Investigator Training Program and ATF New Professional Training Academy at the Federal Law Enforcement Training Center located in Glynco, GA where your Affiant received specialized training in the investigation of State and Federal crimes involving the use of alcohol, tobacco, firearms, explosives and arson. Prior to joining the ATF, your Affiant was employed as a Police Officer with the City of Alexandria, VA Police Department since July 2001 and graduated the Basic Law Enforcement School at the Northern Virginia Criminal Justice Training Academy, located in Sterling, VA where your Affiant received specialized training in firearms and narcotics related offenses as well as conducting basic police investigations. Since 2001, your Affiant has been involved in numerous firearms and drug-related investigations such as illegal firearms trafficking, possession of firearms by prohibited persons, use of a firearm in furtherance of any crime of violence or drug trafficking crime, possession with intent to distribute and distribution of controlled substances, the engaging in

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financial transactions to promote, disguise or conceal illegal drug trafficking and the source of the proceeds derived from it and unlawfully engaging in monetary transactions involving the proceeds of specified unlawful activity, practices commonly referred to collectively as "money laundering" and conspiracies associated with the foregoing criminal offenses. In conducting and participating in investigations of the abovementioned criminal acts, your Affiant has been involved in the utilization of the investigative techniques such as preparing and executing search warrants which have led to seizures of narcotics and firearms, conducting mobile and static surveillances and the interviewing and debriefing of confidential informants and witnesses.

2. This affidavit is based, in part, upon information provided to me by Special Agents with the Federal Bureau of Investigation (FBI) and Detectives with the Montgomery County, Maryland Police Department (MCPD) and involves controlled purchases of illegal substances, physical surveillance, court-authorized pen registers of cellular telephones and GPS Devices and other information gathered during the course of this investigation.

3. As an ATF Special Agent, your affiant has gained experience investigating individuals who, as a part of their narcotics trafficking, also commit money laundering and use a variety of manners and means to hide the true source of their narcotics income. Pursuant to these investigations, your affiant has participated in the seizure of proceeds, safe deposit boxes, bank accounts, and other property that are assets related to narcotics traffickers who use a wide variety of means to launder and conceal their narcotics related funds. Your affiant knows that individuals who deal in illegal controlled substances routinely conceal in their cars, residences or the residences of friends, family members, and associates, or in the places of operation of the drug distribution activity, such as a stash house or safe house, large quantities of currency,

financial instruments, precious metals, jewelry and other items of value, typically proceeds of illegal controlled substance transactions.

PROBABLE CAUSE

4. This affidavit is submitted in support of an application for the authorization to search and seize the contents of safe deposit box #1037 located at Capital One Bank, 7340 Westlake Terrace, Bethesda, Maryland 20817. The safe deposit box is registered under an account in the name of CARLOS BRANDON PEOPLES (hereinafter "target account").

THE INVESTIGATION

5. Your affiant is currently participating in an investigation relating to the distribution of controlled dangerous substances and conspiracy to distribute controlled dangerous substances within the Judicial District of Columbia and Judicial District of Maryland. The investigation began in June 2013 and is being investigated in conjunction with ATF and the Montgomery County Police Department. One of the principal targets of this investigation is CARLOS BRANDON PEOPLES, who resides at 1326 Farragut Street, NW, Washington, DC.

6. On February 19, 2015, your affiant and an MCPD Detective met with CS-2, to conduct a controlled narcotics purchase from NATHANIEL WRIGHT. After completion of the deal, CS-2 stated that, based upon the appearance and packaging of the heroin, it believes that WRIGHT obtained this heroin from an individual known to CS-2 only as "Los." CS-2 described LOS as being a black male, possibly of mixed Hispanic heritage, who possibly lives in Germantown, Maryland, or Washington, DC and drives a gold Chevrolet Malibu. CS-2 provided a cellular telephone number for LOS of 202-415-1793.

7. Following the purchase, investigators maintained surveillance of WRIGHT and followed his vehicle to the area of 15th and Decatur Street, NW, Washington, DC.

Approximately 10 minutes later, investigators observed a white Chevrolet bearing MD registration 1BV3931 arrive and park in the area. Investigators observed WRIGHT walk to the vehicle, enter the driver's side rear passenger door and meet with an unknown B/M driver. The meeting lasted approximately one minute before WRIGHT exited the vehicle and returned to his vehicle before departing the area.

8. Your affiant reviewed pen register data, which indicated that WRIGHT was calling and receiving calls from telephone number 202-415-1793 during the February 19th, 2015 meeting. In addition, investigators were subsequently shown a photo of CARLOS BRANDON PEOPLES and identified him as being the B/M in the white Chevy.¹

9. On February 26, 2015, your affiant and an MCPD Detective met with CS-2 to conduct a controlled narcotics purchase from WRIGHT. At approximately 1:00 pm, MCPD Detectives observed a white Chevrolet four door sedan, bearing MD Registration 1BV3931 enter the parking lot of a shopping center located in the 8600 block of 16th Street, Silver Spring, MD, and watched as WRIGHT met with the unknown driver described as a B/M with a dark hooded sweatshirt and cornrows. Investigators who were conducting surveillance believed, based on their training, knowledge, and experience that a drug transaction occurred between the unknown B/M driver and WRIGHT. This vehicle was the same vehicle that investigators observed WRIGHT meeting with following a purchase of heroin made by CS-2 and WRIGHT on February 19, 2015.

¹ An MCPD Analyst working on the investigation queried the phone number which was linked to an individual identified as Orlando Silver, a relative of Carlos Peoples, who listed an address of 1326 Farragut Street, NW, Washington, DC, an address relative to this investigation. A photo of SILVER was obtained and your affiant showed same to CI-2 who advised that the photo could be "LOS." Your affiant showed the same photo to an MCPD Detective who stated that the photo resembled the driver of the white Chevrolet Malibu. The officer and another officer, as well as CS-2, positively identified Carlos PEOPLES as "Los."

10. Detectives continued to surveil the aforementioned white Chevrolet as it continued South on 16th Street in the direction of Washington, DC and finally parked in front of 1326 FARRAGUT STREET, NW, WASHINGTON, DC. Investigators observed the aforementioned subject enter the residence by utilizing a key to the front door. After being shown a picture of CARLOS BRANDON PEOPLES, investigators who conducted surveillance positively identified the B/M driver as PEOPLES.

11. CS-2 was shown a picture of CARLOS BRANDON PEOPLES and identified the person in the photograph as the person he knew as "LOS."

12. Unrelated to this investigation on April 15, 2014, Metropolitan Police Department (MPD) executed a search warrant at 1326 Farragut Street, NW, Washington, DC. During the execution of the search warrant, ORLANDO DONALD SILVER, PEOPLES' father, attempted to ingest heroin. He was subsequently arrested for UCSA Possession Heroin and Possession of Drug Paraphernalia by MPD.

13. On April 20, 2015, a Grand Jury for District of Maryland returned a sealed Indictment charging Carlos PEOPLES, along with three other individuals, with conspiracy to distribute and possess with intent to distribute heroin in violation of Title 21, U.S.C. Section 846 and two counts of possession with intent to distribute heroin, in violation of Title 21, U.S.C. Section 841(a)(1). An arrest warrant was subsequently issued for PEOPLES.

14. On April 23, 2015, CS-2 telephonically contacted PEOPLES and requested to purchase an amount of heroin from him for \$240.00 of pre-recorded U.S. Currency. After completing the purchase, PEOPLES was arrested by MCPD Detectives on the strength of the aforementioned federal arrest warrant. At the time of his arrest, law enforcement officers seized PEOPLES' wallet and approximately \$3364.50 in United States currency from his person, as

well as his vehicle. Your affiant examined the serial numbers of the currency that was seized from PEOPLES and observed two hundred dollars of the pre-recorded U.S. Currency which was utilized by CS-2 to purchase heroin from PEOPLES was present in the seized currency.

15. On April 23, 2015, a consent search was conducted at 13524 Duhart Road, Germantown, MD, a residence law enforcement had observed PEOPLES enter and exit on previous occasions. Located in the residence was a plastic bag containing suspected heroin, suspected cocaine, cutting agent, and drug manufacturing paraphernalia.

16. On April 24, 2015, the day after PEOPLES' arrest, his father, ORLANDO DONALD SILVER, approached law enforcement and inquired about obtaining PEOPLES' property. In particular, SILVER inquired several times about obtaining PEOPLES's wallet and driver's license. SILVER appeared very anxious to recover the wallet and PEOPLES driver's license. As a result, agents examined the contents of the wallet and discovered a safe deposit box key with the number "1037" engraved on it, in a Capital One bank envelope. On May 1, 2015, law enforcement contacted Capital One bank and learned a safe deposit box registered under the name of CARLOS BRANDON PEOPLES was located at a branch at 7340 Westlake Terrace, Bethesda, Maryland, 20817.

17. On April 28, 2015, a detention hearing was held and PEOPLES remains detained pending location of a suitable third party custodian.

18. An earning and wages check on CARLOS PEOPLES turned up negative.

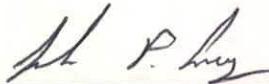
19. In sum, your affiant believes that the facts contained herein show that PEOPLES is involved in the distribution of heroin and that proceeds of his drug trafficking activity are presently located inside the safe deposit box #1037, registered in the name of CARLOS

BRANDON PEOPLES, located at Capital One bank, 7340 Westlake Terrace, Bethesda, Maryland 20817.

CONCLUSION

Based on the above, your affiant believes that there is probable cause to believe that the items contained inside safe deposit box #1037 of Capital One Bank, in the name of Carlos Brandon PEOPLES, social security number 579-15-4053, are traceable to the proceeds of narcotics violations, in violation of Title 18, U.S.C. Sections 1343 and 1344, and are, therefore, subject to seizure and forfeiture pursuant to Title 21, U.S.C. Section 881(a)(6). Based on the foregoing facts, I believe there is probable cause to search the safe deposit box #1037 described herein and seize the contents within to include any United States currency or other proceeds of illegal drug trafficking, or evidence, contraband, fruits and instrumentalities, as further described in Attachment B, of narcotics trafficking offenses in violation of Title 21, U.S.C. Sections 841(a)(1) and 846. Likewise, your affiant believes that there is probable cause to search the safe deposit box and seize the contents within as proceeds of a specified unlawful activity in which CARLOS BRANDON PEOPLES knowingly concealed their location in violation of Title 18, U.S.C. Section 1956(a)(1)(B)(1).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


John P. Cooney, Special Agent, ATF

Sworn to and subscribed before me
this 5th day of May 2015.


William Connelly
Chief Magistrate Judge, US District Court

ATTACHMENT A

SAFE DEPOSIT BOX #1037, REGISTERED UNDER THE NAME OF CARLOS BRANDON PEOPLES, LOCATED AT CAPITAL ONE BANK, 7340 WESTLAKE TERRACE, BETHESDA, MARYLAND, 20817. The safe deposit box is approximately 3x5 inches in diameter.

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ATTACHMENT B

**LIST OF ITEMS AUTHORIZED TO BE SEARCHED-FOR
AND SEIZED PURSUANT TO FEDERAL SEARCH WARRANT**

**SAFE DEPOSIT BOX #1037, CAPITAL ONE BANK, 7340 WESTLAKE TERRACE,
BETHESDA, MARYLAND, 20817**

1. Proceeds and articles of personal property which are evidence of trafficking in controlled substances, including U.S. currency, precious metals and stones, jewelry, negotiable instruments and financial instruments including stocks and bonds, which were obtained from the sale of controlled substances or proceeds therefrom.
2. Documents related to or memorializing the ordering, purchasing, storage, transportation and sale of controlled substances, including U.S. currency used in the purchase and sale of controlled substances, buyer lists, seller lists, pay-owe sheets and records of sales, log books, drug ledgers, personal telephone/address books of customers and suppliers, cellular telephones, computers, rolodexes, telephone answering pads, bank and financial records, records relating to domestic and foreign travel such as tickets, passports, visas, credit card receipts, travel schedules, receipts and records, trucker log books and storage records, such as storage locker receipts and safety deposit box rental records.

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DR 08-06-2015